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Mem/mm.10

Paper No. 22

Susan K. Lehnhardt
Morrison and Foerster
755 Page Mill Road
Palo Alto, CA 94304-1018

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OCT 05 1998

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In re Application of :
Bruce Roser, et al. :
Application No. 08/486,043 :
Filed: June 7, 1995 :
Attorney Docket No. 263742001001 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 14, 1997, to revive an unintentionally abandoned application.

The petition is granted.

This application became abandoned for failure to timely respond to the final Office action mailed March 4, 1997, which set a three (3) month shortened statutory period for filing a response. No extensions of time having been obtained pursuant to the provisions of 37 CFR 1.136(a), the date of abandonment of this application is June 5, 1997. Therefore, since this petition was filed within one year of the date of abandonment, the petition complies with the one year filing period requirement in 37 CFR 1.137(b).

Since this application is being revived for purposes of continuity only and since continuity has been established by this decision reviving the application, the application is again abandoned in favor of continuing Application No. 08/923,783, filed September 4, 1997.

The extension of time submitted with the instant petition was filed outside the six month statutory period for response. Thus, it is unnecessary and cannot be accepted. Accordingly, the fee of \$475 will be credited to petitioner's Deposit Account No. 03-1952.

The file is being forwarded to Technology Center 1600.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-9282.



Marianne E. Morgan
Petitions Examiner
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects